

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CAROLYN PATTON

Plaintiff,

V.

CIVIL ACTION NO

AMERICA'S NETWORK, INC.

Defendant.

APRIL 2, 2008

COMPLAINT

FIRST COUNT:

1. Plaintiff seeks relief pursuant to the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692; Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act. § 14-204 et seq. ("MCDCA"); and the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.
2. The Court's jurisdiction is conferred by 15 U.S.C. 1692k and 28 U.S.C. 1331 and 1367.
3. Plaintiff is a natural person who resides in Baltimore, Maryland.
4. Plaintiff is a consumer within the FDCPA.
5. Defendant is a debt collector within the FDCPA, who has a place of business at Snellville, Georgia.
6. Defendant is a collector within the MCDCA.
7. Defendant failed to obtain a license as a collection agency as required pursuant to Md. Ann. Code Business Regulation Collection Agencies § 7-301 et seq.

8 Defendant communicated with plaintiff or others on or after one year before the date of this action, in connection with collection efforts with regard to plaintiff's disputed personal debt.

9. In the collection efforts, the defendant violated the FDCPA, inter alia, section 1692e, f and g.

10. Defendant mailed or caused to be mailed an undated demand letter to the plaintiff, in violation of §1692 e and f.

11. Defendant's demand letter failed to advise the plaintiff the amount of the debt owed, in violation of §1692g.

12. Defendant's demand letter only advised the plaintiff of a settlement amount of \$110.00, inferring that the true amount owed is something more and that the plaintiff is receiving a special offer of a reduced sum., in violation of §1692 e and f and g.

13. Defendant threatens significant penalties pursuant to Maryland bounced check law in there initial demand letter, which overshadows the plaintiff's right to validation pursuant to §1692e, f and g.

14. Defendant advised the plaintiff that there is a principal sum and fees associated with this debt, but failed to identify the principal amount of the debt or the additional fees added to the principal.

15. Defendant failed to obtain a Maryland Collection Agency License and deprived my client with the benefit of State review of the collection agency's credentials, in violation of §1692 f.

16. Defendant is mischaracterizing the amount, character and legal status of the amount allegedly owed by the plaintiff to the creditor, in violation of §1692 e(2).

SECOND COUNT:

17. The allegations of the First Count are repeated and realleged as if fully set forth herein.

18. Within three years prior to the date of this action Defendant has engaged in acts and practices as to plaintiff in violation of the Md. Ann. Code Commercial

Law Maryland Consumer Debt Collection Act § 14-204 et seq. (“MCDCA”);

THIRD COUNT:

19. The allegations of the First Count are repeated and realleged as if fully set forth herein.
20. Defendant has committed unfair or deceptive acts or practices within the meaning of the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.

WHEREFORE plaintiff respectfully requests this Court to:

1. Award plaintiff such damages as are permitted by Fair Debt Collection Practices Act, including \$1,000 statutory damages against the defendant;
2. Award plaintiff such damages as are permitted by the Maryland Consumer Debt Collection Act § 14-204 et seq., against the defendant;
3. Award plaintiff such damages as are permitted by the Consumer Practices Act §13-301 et seq., against the defendant;
4. Award the plaintiff costs of suit and a reasonable attorney's fee;
5. Award any further relief as this Court may provide.

THE PLAINTIFF

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